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Firm Name: U.S. PATENT AND TRADEMARK OFFICE

Fax Number: 703-872-9306 **Telephone No.:** _____

From: Kenneth J. Cool

Date: December 10, 2003 **Time:** _____

Operator: Krista Mathieson **Matter:** 42P10435

Number of pages including cover sheet: 22

In Re Patent Application of: Monroe, et al.

Application No.: 09/872,275

Filed: May 31, 2001

For: "Identifying Data Loss In A Transmission System"

Enclosed are the following documents: The transmittal form, a Fee

Transmittal (in duplicate), Notice of Appeal (in duplicate) and the Final Office

Action Response.

CERTIFICATE OF TRANSMISSION

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Date of Transmission December 10, 2003

Krista Mathieson

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PTO/SB/27 (08-03)
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	
Total Number of Pages in This Submission	21
Application Number 09/872,275	
Filing Date May 31, 2001	
First Named Inventor Sherdock, Stuart W.	
Art Unit 2857	
Examiner Name Tsai, Carol S W	
Attorney Docket Number 42P10435	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Remarks Certificate of transmission via Facsimile.
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Kenneth J. Cool, Reg. No. 40,570	
Signature		
Date	December 10, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Krista Mathieson
Signature	
Date	12/10/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be afforded by the USPTO to promote an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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12/10/2003 11:05 FAX 303 740 6962

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003

FEE TRANSMITTAL FOR FY 2004 (FY 2004 Begins 10/01/2003)					
Complete if Known:			TOTAL AMOUNT OF PAYMENT (\$) <u>\$330.00</u>		
Application No. <u>09/672,275</u>					
Filing Date <u>May 31, 2001</u>					
First Named Inventor <u>Sherlock, Stuart W.</u>					
Examiner Name <u>Tsai, Carol S W</u>					
Art Unit <u>2857</u>					
Attorney Docket No. <u>42390P10435</u>					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
METHOD OF PAYMENT (check all that apply)					
<input type="checkbox"/>	Check	<input type="checkbox"/>	Credit Card	<input type="checkbox"/>	Money Order
<input checked="" type="checkbox"/>	Deposit Account	<input type="checkbox"/> Other <input type="checkbox"/> None			
Deposit Account Number: <u>50-0221</u>					
Deposit Account Name: <u>Intel Corporation</u>					
<input checked="" type="checkbox"/> The Director is Authorized to do the following with respect to the above-identified Deposit Account:					
<input checked="" type="checkbox"/> Charge fee(s) indicated below.					
<input checked="" type="checkbox"/> Credit any overpayments.					
<input checked="" type="checkbox"/> Charge any additional fees during the pendency of this application.					
<input checked="" type="checkbox"/> Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.					
<input type="checkbox"/> Charge fee(s) indicated below <u>except for the filing fee</u> .					
FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity	Small Entity				
Fee Fee	Fee Fee				
Code (\$)	Code (\$)				
1001 770	2001 385	Fee Description			
1002 340	2002 170	Utility application filing fee			
1003 530	2003 265	Design application filing fee			
1004 770	2004 385	Plant filing fee			
1005 160	2005 80	Reissue filing fee			
Provisional application filing fee					
Fee Paid					
SUBTOTAL (1) \$0.00					
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims <u>30</u>	- <u>30** = 0</u>	Extra Claims	Fee from below	Fee Paid	
Independent Claims <u>3</u>	- <u>3** = 0</u>		X \$18.00	= \$0.00	
Multiple Dependent			X \$86.00	= \$0.00	
**Or number previously paid, if greater; For Reissues, see below.					
Large Entity	Small Entity				
Fee Fee	Fee Fee				
Code (\$)	Code (\$)	Fee Description			
1202 18	2202 9	Claims in excess of 20			
1201 86	2201 43	Independent claims in excess of 3			
1203 290	2203 145	Multiple dependent claim, if not paid			
1204 86	2204 43	**Reissue independent claims over original patent			
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) \$0.00					

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12/10/2003 11:05 FAX 303 740 6882

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004

FEE CALCULATION (continued)

3. ADDITIONAL FEES

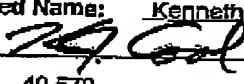
<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee		
Code	Code		
Fee (\$)	Fee (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1813 8,800	1813 8,800	Request for inter partes reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840**	1805 1,840**	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	\$330.00
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,610	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 865	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	For filing a submission after final rejection (see 37 CFR 1.12g(a))	
1814 110	2814 55	Statutory Disclaimer	
1810 770	2810 385	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
1504 300	1504 300	Publication fee for early, voluntary, or normal pub.	
1505 300	1505 300	Publication fee for republication	
1803 130	1803 130	Request for voluntary publication or republication	
1808 130	1808 130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454 1,330	1454 1,330	Acceptance of unintentionally delayed claim for priority	
Other fee (specify)			
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$330.00

SUBMITTED BY:

Typed or Printed Name: Kenneth J. Cool

Signature: 

Date: Dec. 10, 2003

Reg. Number: 40,570

Telephone Number: (719) 273-1090

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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-2-

Docket No.: 42P10435

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/872,275

Inventor : Sherlock, Stuart W.

Filed : May 31, 2001

Art Unit : 2606

Examiner : Tsai, Carol S. W.

Title : Identifying Data Loss In A Transmission System

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 Commissioner for Patents
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 Alexandria, VA 22313-1450

FINAL OFFICE ACTION RESPONSE

Dear Sir:

In response to the Office Action mailed September 10, 2003, reconsideration and further examination of the application is hereby requested. Kindly consider the following:

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I hereby certify that I am causing the above-referenced correspondence to be facsimile transmitted to the US Patent and Trademark Office:

December 10, 2003

Date of Transmission

Krista Mathieson

Name of Person Faxing Correspondence


 Signature

December 10, 2003

Date

INTRODUCTORY COMMENTS**Request for an Extension of Time**

This Office Action Response is submitted in response to the Final Office Action dated September 10, 2003 for which the shortened statutory period for response was set to expire on December 10, 2003. It is believed that no additional extension of time fee is required. In the event any extension of time fee is required, or any other fee related to this Response is required, please consider this a request therefore. Authorization is hereby given to charge Deposit Account No. 50-0221 for such fee or fees.

Authorization to Charge Deposit Account

Authorization is hereby given to charge Deposit Account No. 50-0221 for any fee or fees related to this Office Action Response.